

1 TOMAS E. MARGAIN, Bar No. 193555
2 84 W. SANTA CLARA STREET, STE. 790
3 SAN JOSE, CA 95113
4 TEL (408) 317-1100
5 FAX (408) 351-0105
6 Tomas@lacasalegal.com
7 Attorney for Plaintiff

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

EDUARDO RAMIREZ

UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EDUARDO RAMIREZ

Plaintiff,

v.

NOAH CONCRETE CORPORATION;
MCCRARY CONSTRUCTION COMPANY;
GREEN VALLEY CORPORATION dba
BARRY SWENSON BUILDER; ALBANY
UNIFIED SCHOOL DISTRICT; CITY OF
HOLLISTER; and TRAVELERS CASUALTY
& SURETY CO. OF AMERICA

Defendants.

Case No.: 5:12-cv-05553-LHK

**STIPULATION AND ORDER TO
DISMISS WITH PREJUDICE**

1 Plaintiff EDUARDO RAMIREZ and Defendant ALBANY UNIFIED SCHOOL DISTRICT,
2 hereby stipulate as follows:

- 3 1. On October 29, 2012, Plaintiff filed the Complaint in this matter.
- 4 2. On December 31, 2012, Defendant ALBANY UNIFIED SCHOOL DISTRICT
5 filed an Answer and Cross Complaint in this matter.
- 6 3. No other parties have made an appearance.
- 7 4. The matter has fully settled and the parties have executed a written settlement
8 agreement.
- 9 5. The above parties stipulate that the Complaint and Cross Complaint is matter be
10 dismissed with prejudice as to Defendant ALBANY UNIFIED SCHOOL
11 DISTRICT.

12 IT IS SO STIPULATED

13 FOR PLAINTIFF

14 DATED: 3/29/13

15 By: 

Tomas E. Margain
For Plaintiff

16
17 FOR DEFENDANT ALBANY
UNIFIED SCHOOL DISTRICT

LOZANO SMITH

18
19 DATED: 3/20/13

20 By: 

Arne Sandberg

EDUARDO RAMIREZ

Plaintiff,

v.

NOAH CONCRETE CORPORATION;
MCCRARY CONSTRUCTION COMPANY;
GREEN VALLEY CORPORATION dba
BARRY SWENSON BUILDER; ALBANY
UNIFIED SCHOOL DISTRICT; CITY OF
HOLLISTER; and TRAVELERS CASUALTY
& SURETY CO. OF AMERICA

Defendants.

Case No.: 5:12-cv-05553-LHK

**ORDER GRANTING STIPULATION
TO DISMISS**

ORDER

Based on the stipulation of counsel and good cause shown, the Complaint of Plaintiff EDUARDO RAMIREZ and Cross Complaint of the ALBANY UNIFIED SCHOOL DISTRICT is dismissed with prejudice. All deadlines are hereby terminated. The parties have reached a settlement through counsel. This Order is without waiving the ability of any party to move to enforce other provisions of the settlement agreement if there is a breach by separate legal proceedings.

IT IS SO ORDERED. The Clerk shall close the file.

DATED: April 24, 2013

By:


Hon. Lucy H. Koh
United States District Court Judge